**PATENT** 

## DORSEY & WHITNEY LLP

US BANK CENTRE 1420 5TH AVENUE, SUITE 3400 SEATTLE WA 98101

FACSIMILE COVER SHEET (206) 903-8820

September 22, 2005

TO: Commissioner for Patents

FAX # (571) 273-3719

P.O. Box 1450, Alexandria, VA 22313-1450

TELEPHONE: (571) 272-3719

FROM: Edward W. Bulchis, Esq.

TELEPHONE: (206) 903-8800 Main; (206) 903-8785 Direct

Applicant: Dean A. Klein

Attorney Docket No.: 500050.01

Serial No. : 09/654,115

Confirmation No. : 5616

3cman 140. . 09/034,113

: K. Chaki

: August 30, 2000

Group Art Unit : 2193

19

Title

Filed

: SYSTEM AND METHOD FOR DETERMINING THE CACHEABILITY OF CODE

Examiner

AT THE TIME OF COMPILING

Date Sent: September 22, 2005

Date Due

: October 6, 2005

## Documents Attached for Filing:

Total Number of Pages (including cover sheet):

	No. Pages
Fee Transmittal Sheet (+ copy)	2
Request for Reconsideration	16

## Original will not be sent

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PLEASE CONTACT ALEXANDRA BEGGS AT (206) 903-2421 IF TRANSMISSION IS INCOMPLETE OR CANNOT BE READ.

Effective on 12/08/04						
	<u> </u>			Complete if Known		
	Applicati			09/654,115		
FEE TRANSMITTAL SHEET	Filing Date		<del></del>	August 30, 2000		
(FY 2005)	First Inve	entor	<del></del>	Dean A. Klein		
( 2000)	Group A	rt Unit	2193	2193		
	Examiner Name K. Chaki				_	
Applicant claims small entity status (see 37 C.F.R. 1.27)	Atty. Docket Number   500050.01					
METHOD OF PAYMENT (Check One)	FEE CALCULATION (Continued)					
X The Director is hereby authorized to charge any requisite fee	3. ADDITIONAL FEES					
required under 37 C.F.R. §§ 1.18 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No. 50-1266; Deposit Account Name: DORSEY & WHITNEY LLP.	Large Entity Fee	Small Entity Fee	Fee Description	Fee Description		
Check Enclosed.	50	25	Surcharge - late p	\$		
Extra Claim Fees	130	65	Surcharge - Late fee or oath	Surcharge - Late nonprovisional filing		
Current Claims         Prior         Extra         Fee         Fee Peid           Total         61         -         61         =         0         x         \$ 50         =         \$ 0	180	180	Submission of IDS	6	\$	
Ind. 4 - 4 = 0 x \$200 = \$0  Multiple Dependent Claims x \$ = \$	40	40		atent assignment per imber of properties)	\$	
Subtotal (Extra Claims) \$0	120	60	Extension for rept	y within first month	\$120	
Delities For the Jorda OFD 4 (200 4 ) D 4 )	450	225	Extension for repl	y within second month	\$	
Petition Fee Under 37 CFR 1.17(f), (g), & (h) Enclosed is a Petition filed under 37 CFR as indicated below:	1,020	510	Extension for repl	y within third month	\$	
Petition Fee under 37 CFR 1.17(f) Fee \$400	1,590	795	Extension for repi	y within fourth month	\$	
§ 1.53(e) to accord a filing date.	2,160	1,080	Extension for repl	y within fifth month	\$	
§ 1.182 for decision on a question not provided for.	790	395	Submission After	Final 1.129	\$	
§ 1.163 to suspend the rules. § 1.378(e) for reconsideration of decision on petition refusing delayed	500	250	Notice of Appeal		\$	
payment of maintenance fee in expired patent.  § 1.174(b) to accord a filing date to an application under §1.740 for extension	500	250	Filing a brief in su	ling a brief in support of an appeal		
of patent term.	1,000	500	Request for oral h	equest for oral hearing		
Petition Fee under 37 CFR 1.17(g) Fee \$200 § 1.12 for access to an assignment record.	130	65	Terminal Disclaim	erminal Disclaimer Fee		
§ 1.14 for access to an application. § 1.47 for filing by other than all inventors or person not the Inventor.	600	400	Design Issue Fee	_		
§ 1.59 for expungement of Information. § 1.103(a) to suspend action in an application.	790	395	Request for Contl (RCE)	equest for Continued Examination		
§ 1.136(b) for review of a request for ext. of time when §1.136(a) not avail, for review of refusal to publish a statutory invention registration.	130		Request for volun republication	tary publication or	\$	
§ 1.298 to withdraw a req. for pub, after notice of intent to publish issued, § 1.377 for review of decision refusing to accept a maintenance fee filed	500	250	Petition to Revive	– unavoidable	\$	
prior to expiration of a patent.  § 1.550(c) for request for ext. of time in ex parte reexam, proceedings.	1,500	750	Petition to Revive	- unintentional	\$	
§ 1.956 for request for ext. of time In ex parte reexam, proceedings. § 5.12 for expedited handling of foreign filling Ilcense.	200		Filing for patent to	=	\$	
§ 5.15 for changing the scope of a license. § 1.5.25 for retroactive ilcense.	400		Request for reinst reduced	atement of term	\$	
Petition Fee under 37 CFR 1.17(h) Fee \$130	1,120		Extension of term	of patent	\$	
§ 1.19(g) to request documents in a form other than provided in this part. § 1.84 for accepting color drawings or photographs. § 1.91 for entry of a model or exhibit.	OTHER ( (specify)				\$	
§ 1.102(d) to make an application special. § 1.138(c) to expressly abandon an application to avoid publication.			Subto	otal (Additional Fees)	\$120	
§ 1.313 to withdraw an application from issue. § 1.314 to defer issuance of a patent.			Total Amo	ount of Payment:	\$120	
Submitted by:						
CUSTOMER NUMBER DORSEY & WHITNEY LLP 27,076	1420 Fifth Avenue, Suite 3400 Seattle, WA 98101-4010 (206) 903-8800 phone / (206) 903-8820 fax					
Name: Edward W Bulchis			,	Reg. No.: 26,847	·	
Signature: Chrand Dulhin				Date: 9/22/	05	

Effective on 12/08/04	·					
Ellegase on 150004	Complete if Known					
	Application No.		09/654,115	09/654,115		
FEE TRANSMITTAL SHEET	Filing Date A		August 30, 2000	August 30, 2000		
(FY 2005)	First Inv	entor	Dean A. Klein			
(1.7.2003)	Group A	urt Unit	2193	2193		
	Examiner Name K. Chaki					
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\$ 1.183 to suspend the rules, \$ 1.378(e) for reconsideration of decision on petition refusing delayed	500	250	Notice of Appeal	\$		
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§ 1.14 for access to an application. § 1.47 for filing by other than all inventors or person not the inventor.	800	400	Design Issue Fee	\$		
§ 1.39 for expungement of information. § 1.103(a) to suspend action in an application	790	395	Request for Continued Examination (RCE)	\$		
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§ 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.	500	250	Petition to Revive – unavoidable	\$		
§ 1.550(c)   for request for ext. of time in ex parte reexam emceedings	1,500	760	Petition to Revive – unintentional	\$		
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§ 5.16 for changing the scope of a license, § 1.5.25 for retroactive license.	400		Request for reinstatement of term reduced	\$		
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Submitted by:						
CUSTOMER NUMBER DORSEY & WHITNEY LLP	1420	) Fifth Ave	nue, Suite 3400			
27,076	Seat	tle, WA 9	8101-4010 <u>Diphone</u> / (206) 903-8820 fax			
Name: Edward W Bulchis	1 (200	<i>, 203</i> 40000	Reg. No.: 26,847			
Signature: Church Dulhie			Date: 9/22/	05		

PATENT

I hereby certify that on the date specified below, this correspondence is being transmitted via facsimile to the U.S.

Patent and Trademark Office Central Fax number: (571) 2/73-3719.

Date Date

Carolyn L. Ro

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/654,115 Confirmation No. : 5616

Applicant : Dean A. Klein Attorney Docket No.: 500050.01

Filed : August 30, 2000 Customer No. : 27,076

Art Unit : 2193

Examiner : K. Chaki

Title : SYSTEM AND METHOD FOR DETERMINING THE CACHEABILITY OF CODE AT

THE TIME OF COMPILING

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### REQUEST FOR RECONSIDERATION

Sir:

Applicant hereby requests reconsideration of the final rejection dated June 6, 2005.

<u>Listing of the Claims</u> begins on page 2 of this paper; the claims have not been amended in this request.

Remarks begin on page 11 of this paper.